

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

- 1-6. Canceled)
7. (New) A herpes simplex virus with a genome (i) that comprises an expressible non-herpes simplex virus nucleotide sequence encoding a desired protein and (ii) that is altered, relative to wild type, in the  $\gamma$ 34.5 gene and the ribonucleotide reductase gene.
8. (New) The herpes simplex virus of claim 7, wherein said protein is a cytokine.
9. (New) The herpes simplex virus of claim 7, wherein said nucleotide sequence encodes LacZ.
10. (New) The herpes simplex virus of claim 7, wherein said herpes simplex virus is G207.
11. (New) The herpes simplex virus of claim 7, wherein said virus is targeted to a tumor cell of non-nervous tissue origin.
12. (New) The herpes simplex virus of claim 11, wherein said tumor cell is a neural tumor cell.
13. (New) The herpes simplex virus of claim 7, wherein said virus is targeted to a specific tumor type with a tumor cell-specific promoter.
14. (New) The herpes simplex virus of claim 13, wherein said promoter is nestin promoter.
15. (New) The herpes simplex virus of claim 13, wherein said promoter is basic fibroblast growth factor promoter.
16. (New) The herpes simplex virus of claim 13, wherein said promoter is epidermal growth factor promoter.

17. (New) The herpes simplex virus of claim 7, wherein an essential viral gene product of said virus is under the control of a tumor cell-specific promoter rather than its own viral promoter.

18. (New) A composition comprising the herpes simplex virus of claim 7 and a pharmaceutically acceptable vehicle for said virus.